RNI No. MAHBIL /2009/40123

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग पाच-अ

वर्ष १२, अंक १९] गुरुवार, जून २५, २०२६/आषाढ ४, शके १९४८ पृष्ठे ४, किंमत : रुपये ३६.००]

असाधारण क्रमांक ३६

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद).

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on the **25th June, 2026** is published under **Rule 117** of the Maharashtra Legislative Assembly Rules :—

L. A. BILL No. XXXVIII OF 2026.

A BILL

further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

WHEREAS both Houses of the State Legislature were not in session;

III of 1888. LIX of 1949. Mah. XL of 1965. Mah. Ord. IX of 2026.

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; and therefore, promulgated the Maharashtra Municipal Laws (Amendment) Ordinance, 2026 on the 17th June 2026.

AND WHEREAS it is expedient to replace the said Ordinance, by an Act of the State Legislature; it is hereby enacted in the Seventy-seventh Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short title and Commencement.

1. *(1)* This Act may be called the Maharashtra Municipal Laws (Amendment) Act, 2026.

(2) It shall be deemed have come into force on the 17th June 2026.

CHAPTER II

AMENDMENTS TO THE MUMBAI MUNICIPAL CORPORATION ACT

Amendment of section 5B of III of 1888.

2. In section 5B of the Mumbai Municipal Corporation Act (hereinafter, in this Chapter, referred to as "the Mumbai Municipal Corporation Act"), after the second proviso, the following proviso shall be added, namely:- III of 1888.

"Provided also that, if such person is elected in the elections held on or after the 15th January 2026 but on or before the date of commencement of the Maharashtra Municipal Laws (Amendment) Act, 2026, and he fails to produce the Validity Certificate within a period of twelve months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.". Mah. of 2026.

Amendment of section 37 of III of 1888.

3. In section 37 of the Mumbai Municipal Corporation Act, in sub-section (*2A*), after the second proviso, the following proviso shall be added, namely :—

"Provided also that, if such person is elected in the elections held on or after 15th January 2026 but on or before the date of commencement of the Maharashtra Municipal Laws (Amendment) Act, 2026, and he fails to produce the Validity Certificate within a period of twelve months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Mayor.". Mah. of 2026.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT

Amendment of section 5B of LIX of 1949.

4. In section 5B of the Maharashtra Municipal Corporations Act (hereinafter, in this Chapter, referred to as "the Maharashtra Municipal Corporations Act"), after the second proviso, the following proviso shall be added, namely :— LIX of 1949.

"Provided also that, if such person is elected in the elections held on or after the 15th January 2026 but on or before the date of commencement of the Maharashtra Municipal Laws (Amendment) Act, 2026, and he fails to produce the Validity Certificate within a period of twelve months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.". Mah. of 2026.

Amendment of section 19 of LIX of 1949.

5. In section 19 of the Maharashtra Municipal Corporations Act, in sub-section *(1B)*, after the second proviso, the following proviso shall be added, namely :—

Mah. of 2026.

"Provided also that, if such person is elected in the elections held on or after the 15th January 2026 but on or before the date of commencement of the Maharashtra Municipal Laws (Amendment) Act, 2026, and he fails to produce the Validity Certificate within a period of twelve months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Mayor.".

CHAPTER IV

AMENDMENTS TO THE MAHARASHTRA MUNICIPAL COUNCILS, NAGAR PANCHAYATS AND INDUSTRIAL TOWNSHIPS ACT, 1965

Mah. XL of 1965.

Amendment of section 9A of Mah. XL of 1965.

6. In section 9A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter, in this Chapter, referred to as "the Maharashtra Municipal Councils Act"), after the second proviso, the following proviso shall be added, namely :-

Mah. of 2026.

"Provided also that, if such person is elected in the elections held on or after the 2nd December 2025 but on or before the date of commencement of the Maharashtra Municipal Laws (Amendment) Act, 2026, and he fails to produce the Validity Certificate within a period of twelve months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.".

Amendment of section 51-1B of Mah. XL of 1965.

7. In section 51-1B of the Maharashtra Municipal Councils Act, after the second proviso, the following proviso shall be added, namely :—

Mah. of 2026.

"Provided also that, if such person is elected in the elections held on or after the 2nd December 2025 but on or before the date of commencement of the Maharashtra Municipal Laws (Amendment) Act, 2026, and he fails to produce the Validity Certificate within a period of twelve months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a President.".

Mah. Ord. IX of 2026.

Repeal of Mah. Ord. IX of 2026 and savings.

8. (*1*) The Maharashtra Municipal Laws (Amendment) Ordinance, 2026 is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the relevant Acts, as amended by this Act.

III of 1888.

LIX of 1949.

Mah. XL of 1965.

STATEMENT OF OBJECTS AND REASONS

Sections 5B and 37of the Mumbai Municipal Corporation Act (III of 1888), sections 5B and 19 of the Maharashtra Municipal Corporations Act (LIX of 1949) and sections 9A and 51-1B of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) provides that every person desirous of contesting election to a seat reserved for Councillor, Mayor or President for persons belonging to Scheduled Castes, Scheduled Tribes or, as the case may be, Backward Classes of Citizens, shall submit, alongwith the nomination papers, Caste Certificate issued by the Competent Authority and the Validity Certificate issued by the Scrutiny Committee.

2. The candidates are however permitted, under the provisos to abovereferred section to submit, alongwith the nomination papers for election to a reserved seat, a true copy of the application preferred by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof thereof; and an undertaking that he shall submit, within a period of six months from the date of his election, the Validity Certificate issued by the Scrutiny Committee. The effect of failure to submit such Validity Certificate within specified period of six months is termination of election of such persons with retrospective effect and disqualification to hold the post of Councillor, Mayor or President, as the case may be.

3. As elections to large number of municipalities have been held simultaneously in the months of December 2025 and January 2026, the Scrutiny Committees have been overburdened with the task of verification of caste certificates and issuing Validity Certificates. Due to this, the elected councillors in such elections are facing difficulties in obtaining Validity Certificates in specified time limit. Therefore, it was necessary to ensure that the elected Councillors, Mayor and President who are yet to receive the Validity Certificates due to pendency of their applications before the Scrutiny Committee, are not disqualified for want of submission of Validity Certificates within a specified time limit. It was, therefore, considered expedient to provide for extension of further period of six months for submitting Validity Certificates by such elected Councillors, Mayor and President in such elections, by suitably amending abovereferred sections of relevant Municipal Laws.

4. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, the Maharashtra Municipal Laws (Amendment) Ordinance, 2026 (Mah. Ord. IX of 2026), was promulgated by the Governor of Maharashtra on the 17th June 2026.

5. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

EKNATH SHINDE,
Deputy Chief Minister,
(Urban Development).

Mumbai,
Dated the 22nd June, 2026.

Vidhan Bhavan,
Mumbai,
Dated 25th June, 2026.

JITENDRA BHOLE,
Secretary - 1,
Maharashtra Legislative Assembly.

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